UNITED STATES DISRICT COURT FOR EASTERN DISTRICT OF NEW YORK

Oscar Cruz, Mynor Polanco, Carlos Vasquez, and German DeJesus Portillo.

Case No. 2:23-cv-9200 (GRB)(ARL)

Plaintiffs.

DEFENDANTS' RESPONSES TO PLAINTIFFS' FIRST REQUEST

- against -

FOR PRODUCTION TO

Demarco Bros Landscaping & Tree Service Corp d/b/a Frank Giovinazzo Tree Service d/b/a Frank Giovinazzo North Shore Tree Service d/b/a North Shore Tree Service. :

and Theodore Passelis,

DEFENDANTS

Defendants.

In accordance with Rule 34 of the Federal Rules of Civil Procedure, Defendants Demarco Bros Landscaping & Tree Service Corp d/b/a Frank Giovinazzo Tree Service d/b/a Frank Giovinazzo North Shore Tree Service d/b/a North Shore Tree Service, and Theodore Passelis (collectively referred to as "Defendants"), by and through their attorneys, The Law Offices of Michael P. Giampilis, P.C., hereby submits the Defendants' Response to Plaintiffs' First Request for Production to Defendants dated October 30, 2024 as follows:

General Objections

1. Answering Defendants' Responses are made without waiver of and with preservation: (i) all questions as to confidentiality, competency, relevancy, materiality, privilege and admissibility of the Response, the documents produced hereunder and the subject matter hereof; (ii) the right to object to the use of any such Response, the documents produced hereunder or the subject matter thereof, on any grounds in any proceeding in this action; (iii) the right to object on any grounds at any time to demand request for further discovery proceedings involving or relating to the subject matter

thererof; and (iv) the right, at any time, to revise, correct, supplement, or clarify any of the Responses contained herein.

- 2. Answering Defendants object to the First Request to Defendants for the Production to Defendants dated October 30, 2024 ("Request") to the extent it is not specific, does not relate to the matters in the controversy and is overly broad and burdensome, including as to the time period.
- 3. Answering Defendants object to the Request to the extent that it seeks information or documents which are privileged and/or constitute attorney work product.
- 4. Answering Defendants object to the Request to the extent that it seeks information or documents which are not the proper subject of discovery.
- 5. Answering Defendants object to all definitions, instructions within the Request to the extent that they purport to impose obligations beyond those required or permitted by the CPLR.
- 6. All of the responses herein will be subject to and limited by the foregoing General Objections.

DOCUMENTS REQUESTED

- 1. In response to this demand, Defendants have attached Exhibit "A" and previously served time and pay records for plaintiffs Oscar Cruz, Mynor Polanco, and Carlos Vasquez on plaintiff's counsel's office via email on April 16, 2024 and April 23, 2024 in accordance with the Court's Order dated February 5, 2024.
- 2. See Defendants' response to Request demand no. 1 above.
- 3. See Defendants' response to Request demand no. 1 above.
- 4. See Defendants' response to Request demand no. 1 above.

- 5. Defendants object to this demand to the extent that it seeks information or the identification of documents which are neither relevant to the issues of law and fact in this action, nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendants object to this demand insofar as it is oppressive, palpably improper, unduly burdensome, imposes an undue burden on Defendants and/or is intended to unreasonably annoy and harass Defendants.
- 6. Defendants object to this demand insofar as it is vague, ambiguous, overbroad, is not set forth with the required specificity, and/or is intended to unreasonably annoy and harass Defendant. Nonetheless, see Defendants' response to Request demand no. 1 above.
- 7. Defendants object to this demand insofar as it is vague, ambiguous, overbroad, is not set forth with the required specificity, and/or is intended to unreasonably annoy and harass Defendant. Nonetheless, Defendants do not have any of the documents requested in this demand.
- 8. Defendants object to this demand insofar as it is vague, ambiguous, overbroad, is not set forth with the required specificity, and/or is intended to unreasonably annoy and harass Defendant. Nonetheless, Defendants do not have any of the documents requested in this demand.
- 9. Defendants object to this demand insofar as it is vague, ambiguous, overbroad, is not set forth with the required specificity, and/or is intended to unreasonably annoy and harass Defendant.
- 10. Defendants object to this demand insofar as it is vague, ambiguous, overbroad, is not set forth with the required specificity, and/or is intended to unreasonably

- annoy and harass Defendant. Nonetheless, *see* Defendants' response to Request demand no. 1 above.
- 11. Defendants object to this demand insofar as it is vague, ambiguous, overbroad, is not set forth with the required specificity, and/or is intended to unreasonably annoy and harass Defendant. Nonetheless, Defendants do not have any of the documents requested in this demand.
- 12. None
- 14. None
- 13. None
- 14. Defendants object to this demand to the extent that it seeks information or the identification of documents which are neither relevant to the issues of law and fact in this action, nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendants object to this demand insofar as it is oppressive, palpably improper, unduly burdensome, imposes an undue burden on Defendants and/or is intended to unreasonably annoy and harass Defendants.
- 15. Defendants object to this demand to the extent that it seeks information or the identification of documents which are neither relevant to the issues of law and fact in this action, nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendants object to this demand insofar as it is oppressive, palpably improper, unduly burdensome, imposes an undue burden on Defendants and/or is intended to unreasonably annoy and harass Defendants.
- 16. Defendants object to this demand to the extent that it seeks information or the identification of documents which are neither relevant to the issues of law and

fact in this action, nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendants object to this demand insofar as it is oppressive, palpably improper, unduly burdensome, imposes an undue burden on Defendants and/or is intended to unreasonably annoy and harass Defendants.

- 17. Defendants object to this demand to the extent that it seeks information or the identification of documents which are neither relevant to the issues of law and fact in this action, nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendants object to this demand insofar as it is oppressive, palpably improper, unduly burdensome, imposes an undue burden on Defendants and/or is intended to unreasonably annoy and harass Defendants.
- 18. Defendants object to this demand to the extent that it seeks information or the identification of documents which are neither relevant to the issues of law and fact in this action, nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendants object to this demand insofar as it is oppressive, palpably improper, unduly burdensome, imposes an undue burden on Defendants and/or is intended to unreasonably annoy and harass Defendants.
- 19. Defendants object to this demand to the extent that it seeks information or the identification of documents which are neither relevant to the issues of law and fact in this action, nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendants object to this demand insofar as it is oppressive, palpably improper, unduly burdensome, imposes an undue burden on Defendants and/or is intended to unreasonably annoy and harass Defendants.
- 20. See Defendants' response to Request demand no. 1 above.

- #: 96
- 21. See Defendants' response to Request demand no. 1 above.
- 22. Defendants object to this demand to the extent that it seeks information or the identification of documents which are neither relevant to the issues of law and fact in this action, nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendants object to this demand insofar as it is oppressive, palpably improper, unduly burdensome, imposes an undue burden on Defendants and/or is intended to unreasonably annoy and harass Defendants.
- 23. Defendants object to this demand to the extent that it seeks information or the identification of documents which are neither relevant to the issues of law and fact in this action, nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendants object to this demand insofar as it is oppressive, palpably improper, unduly burdensome, imposes an undue burden on Defendants and/or is intended to unreasonably annoy and harass Defendants.
- 24. See Defendants' response to Request demand no. 1 above.

Defendants reserve the right to supplement these responses as additional information becomes available.

Dated: January 7, 2025

Smithtown, New York

LAW OFFICES OF MICHAEL P. GIAMPILIS, P.C.

/s Michael P. Giampilis
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steven.moser@moserlawfirm.com

EXHIBIT A

0013 1607-1146 DEMARCO BROS LANDSCAPING & TREE SERVICE

(Requested Check Dates 01/01/22 - 12/31/23)

EMPLOYEE NAME	HOURS, EARNINGS	REIMBURSE	MENTS & OTHER	PAYMENTS	WITHHOLDINGS	DEDUCTIONS	NET PAY
ID	DESCRIPTION RATI	Hours	EARNINGS	REIMB & OTHER PAYMENTS			ALLOCATIONS
PORTILLO, GERMAN D 19	Hourty 15,000	0 27,6800	> > > THIS PERS 415.20		G SOCIAL SECURITY # < < Social Security 25;74 Medicare 602 Fed Income Tax 16;62 NY Income Tax 11;87 NY Disability 660 NY PFL 212		Check # 13585 Check Amt 352;23
	CHECK DATE 03/1	27 6800	415 20		62,97		Net Pay 35223
COMPANY TOTALS 1 Person(s) 1 Transaction(s)	Hourly	27 6800	415 20		Social Security		Check Amt 352 23
	THIS PERIOD TOTAL	27,6800	41520		NY Disability 0,60 NY PFL 212 6297 <i>Employer Liabilities</i>		Net Pay 35223
					Social Security 2574 Medicare 602 Fed Unemploy 249 NY Unemploy 1048 NY Re-empl Svc 031		
				TOTAL	EMPLOYER LIABILITY 4504 TOTAL TAX LIABILITY 10801		
(IC) = Independent Contractor							

0013 1607-1146 DEMARCO BROS LANDSCAPING & TREE SERVICE Run Date 12/18/24 05:44 PM CONFIDENTIAL

Period Start - End Dates Check Dates

01/01/22 - 12/31/23 01/31/22 - 12/31/23

Payroll Journal Page 1 of 1 PYRJRN

0013 1607-1146 DEMARCO BROS LANDSCAPING & TREE SERVICE

(Requested Check Dates 01/01/20 - 12/31/21)

EMPLOYEE NAME	HOURS, EARNI	NGS, F	REIMBURSEM	ENTS & OTHER	PAYMENTS	WITHHOLDINGS	NET PAY		
ID	DESCRIPTION	RATE	HOURS	EARNINGS	REIMB & OTHER PAYMENTS			ALLOCATIONS	
PORTILLO, GERMAN D 19	Hourty	14,0000	25,6500	> > THIS PERS 415.10		G SOCIAL SECURITY # < < € Social Security Medicare Fed Income Tax 17 NY Income Tax NY Desability NY PFL 2	74 n2	Check # 13073 Check Amt 35	138
	CHECK DATE 04	/17/21	29,6500	415 10			72	Net Pay35	38
	Hourly	14,0000	28,6500	415,10		Social Security 25 Medicare 67 Fed Income Tax 17 NY Income Tax 11 NY Disability 04 NY PFL 2	73 02 03 88 86 00 11	Check # 13088 Check Amt 35	139
	CHECK DATE 04	24/21	29:6500	415 10		637		Net Pay 35	139_
	Hourty	14,0000	29,6500	415.10		Social Security	74 024 38 86 60 112	Check # 13103	138
	CHECK DATE 05	/0°1/21	29.6500	415 10	į.	63	72	Net Pay 3	31.38
	Hourly	14,0000	29,6500	415.10	***	Social Security 25 Medicare 6 Fed Income Tax 17 NY Income Tax 11 NY Disability 00 NY PFL 2	73 02 33 86 60 12	Check # 13118	139
	CHECK DATE 05	/08/21	29,6500	415 10		63	71	Net Pay 35	51 39
	Hourty	14,0000	29 6500	415,10		Social Security 25' Medicare 6' Fed Income Tax 17' NY Income Tax 11' NY Disability 0' NY PFL 2	74 01 38 98 60	Check # 13132 Check Amt 35	1 39
	CHECK DATE 05	/15/21	29,6500	415 10		63	71	Net Pay 3	5139
	Hourly	14,0000	29,6500	415 10	[]	Social Security 25 Medicare 6 Fed Income Tax 17; NY Income Tax 14; NY Osabity 0; NY PFL 2	: 1	Check # 13146	138
	CHECK DATE 05	/22/21	29 6500	415 10		63	72	Net Pay 3	51:38

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Period Start - End Dates 01/04/20 - 12/31/21 Check Dates 01/04/20 - 12/31/21

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0013 1607-1146 DEMARCO BROS LANDSCAPING & TREE SERVICE

(Requested Check Dates 01/01/20 - 12/31/21)

EMPLOYEE NAME	HOURS, EAR	NINGS, I	REIMBURSEM	ENTS & OTHER	PAYMENTS	WITHHOLDINGS	DEDUCTIONS	NET PAY	1
ID	DESCRIPTION	RATE	HOURS	EARNINGS	REIMB & OTHER PAYMENTS			ALLOCATIO	ONS
(cont.) PORTILLO, GERMAN D (cc 19	nt.)								
	Hourly	14,0000	29 6500	415.10		Social Security 25.73 Medicare 602 Fed Income Tax 17,38 NY Income Tax 11,86 NY Disability 0,60 NY PFL 2,12		Check # 13160 Check Amt	351 39
	CHECK DATE	05/29/21	29,6500	415 10		6371		Net Pay	351 39
	Hourly	14,0000	29 6500	415.10		Social Security 25.74		Check # 13174 Check Amt	351 38
	CHECK DATE	06/05/21.	29,6500	415		63:72	L	Net-Pay	351 38
	Hourly	14.0000	29 6500	415.10		Social Security 25,74 Medicare 602 Fed Income Tax 17,58 NY Income Tax 11,198 NY Income Tax 12,10 NY PPL 2,12 63,72		Check # 13188 Check Amt	351 38
	CHECK DATE	.06/12/21	29.6500	415		63,72		Net Pay	35138_
	Hourly	14.0000	29.6500	415.10		Social Security 25.73		Check # 13202 Check Amt	35139
	CHECK DATE	06/19/21.	29 6500	415 10		63.71		. Net Pay	351 39
	Hourty	14,0000	29 6500	415.10		Sodal Security 25.74 Medicare 602 Fed Income Tax 117.38 NY Income Tax 11.68 NY Disability 0.60 NY PFL 2.12		Check # 13216 Check Amt	351 38
	CHECK DATE	06/26/21.	29 6500	415 10		63/72		Net Pay	351 38
	Hourity	140000	29:6500	415.10		Social Security		Check # 13230 Check Amt	351,39

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Period Start - End Dates Check Dates

01/04/20 - 12/31/21 01/04/20 - 12/31/21

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0013 1607-1146 DEMARCO BROS LANDSCAPING & TREE SERVICE

(Requested Check Dates 01/01/20 - 12/31/21)

EMPLOYEE NAME	HOURS, EAR	IINGS,	REIMBURSEM	ENTS & OTHER	PAYMENTS	WITHHOLDINGS	DEDUCTIONS	NET PAY
ID	DESCRIPTION	RATE	HOURS	EARNINGS	REIMB & OTHER PAYMENTS			ALLOCATIONS
(cont.) PORTILLO, GERMAN D (co 19	nt.)				***************************************			
	CHECK DATE.0	7/03/21.	29 6500	415 10		63/71		Net Pay 351 39
	Hourty	14:0000	29:6500	415.10		Social Security 25,74 Medicare 6,02 Fed Income Tax 17,33 NY Income Tax 1,156 NY Disability 0,55 NY PFL 212 53,72		Check # 13244 Check Amt 35138
	CHECK DATE O	7/1D/21.	29:6500	415 10		63,72		Net Pay. 351 38
	Hourty	14.0000	29 6500	415.10		Social Security		Check # 13258 Check Amt 351 38
	CHECK DATE O	7/17/21	29:6500	415,10		6372		Net Pay 351 38
	Hourty	14,0000	29,6500	415.10		Social Security 2573		Check # 13271 Check Amt 35140
	CHECK DATE O	7/24/21	29:6500	415 10	}	63 70	}	Net Pay 351 40
	Hourty	14 0000	29,6500	415.10		Social Security		Check # 13284 Check Amt 351 38
	CHECK DATE.	7/31/21.	29 6500	415 10	ł	63 72		Net.Pay35138
	Hourly	14,0000	29,6500	415.10		Social Security		Check # 13297 Check Amt 35138
	CHECK DATE.	18/07/21.	29 6500	415 10	} -	63 72		Net Pay 351 38
	Hourty	14,0000	29,6500	415.10		Sodal Security 25,73 Medicare 602 Fed Income Tax 17,34 NY Income Tax 11,88		Check # 13311 Check Amt 351 39

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(Requested Check Dates 01/01/20 - 12/31/21)

EMPLOYEE NAME	HOURS, EARNII	NGS, REIMBURS	EMENTS & OTHER	PAYMENTS	WITHHOLDINGS	DEDUCTIONS	NET PAY
!D	DESCRIPTION	HOURS RATE	EARNINGS	REIMB & OTHER PAYMENTS			ALLOCATIONS
(cont.) PORTILLO, GERMAND (co 19	nt.)				NY Disability (H NY PFL 2:	XX 22	
	CHECK DATE.08/	14/2129650	915 10		63/7	1	Net Pay 35139
	Hourly 1	4,0000 29,650	415.10		Social Security 257	2 2 2 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	Check # 13325 Check Amt 35138
	CHECK DATE 08/	2,1/21 29,650	415 10		637		Net Pay. 35138
	Hourly 1	4,0000 29,650	415.10		Social Security 257 Medicare 60 Fed Income Tax 177 NY Income Tax 111 NY Disability 056 NY PFL 21	33 122 184 186 187 187 187 187 187 187 187 187 187 187	Check # 13338 Check Amt 351 39
	CHECK DATE 08/	28/2129 650	415 10		637	·1	Net Pay 351 39
	Hourly 1	4,0000 29,650	415.10		Social Security 25 Medicare 60 Fed Income Tax 175 NY Income Tax 1158 NY Disability 06 NY PFL 21	4 12 18 18 16 10 10 12	Check # 13351 Check Amt 351 38
	CHECK DATE 09/	04/21 29 650	415 10		637	2	Net Pay 351 38
	Hourty 1	40000 29,650	415.10		Social Security 257 Medicare 607 Medicare 607 Fed Income Tax 177 NY Income Tax 115 NY Disability 007 NY PFL 25	74 12 13 16 16 16 16 17 17 18 18 18 18 18 18 18 18 18 18 18 18 18	Check # 13366 Check Amt 351,38
	CHECK DATE 09/	11/21 29 650	415 10		637	2	Net Pay. 351 38
	·	4:0000 29:650			Social Security 25 Medicare 66 Fed Income Tax 17; NY Income Tax 11; NY Disability 06 NY PFL 21	1	Check # 13380 Check Amt 351 39
	CHECK DATE 09/	1B/2129 ⁶⁵⁰	415 10		637	<u> </u>	Net Pay 351 39
-	Hourly 1	4.0000 29.650	415 10		Social Security 25,7 Medicare 6.0)1	Check # 13394 Check Amt 351 39

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(Requested Check Dates 01/01/20 - 12/31/21)

EMPLOYEE NAME	HOURS, EARN	INGS, I	REIMBURSEM	ENTS & OTHER	PAYMENTS	WITHHOLDINGS	DEDUCTIONS	NET PAY
D	DESCRIPTION	RATE	HOURS	EARNINGS	REIMB & OTHER PAYMENTS			ALLOCATIONS
(cont.) PORTILLO, GERMAND (co 19	nt.)					Fed Income Tax 17:33 NY Income Tax 11:8	88 68	
						NY Income Tax 1:18 NY Disability 0:6 NY PFL 2:1:	0 2	
	CHECK DATE 09	V25/21	29,6500	415 10		63.77	<u> </u>	Net Pay 351 39
	Crs EE Rt-Memo				M5,396.30			EA Check # Unknown Check Amt 0 00
	CHECK DATE 09	/30/21						Net Pay 000
	Hourly	14,0000	29 6500	415,10		Social Security 257	4 2 2 3 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5	Check # 13408 Check Amt 35138
	CHECK DATE.10	V02/21.	29,6500	415 10		6377	2	Net Pay 35138
	Hourty	14 0000	29,6500	415,10		Social Security 257. Medicare 600 Fed Income Tax 11;8 NY Income Tax 11;8 NY Disability 0;6 NY PFL 2;1	1 ;	Check # 13422 Check Amt 35139
	CHECK DATE_10	VOB/21.	29,6500	415 10		63 7	1	Net Pay 351,39
	Hourly	14,0000	28,6500	415 10		Social Security	4 4 2 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8	Check # 13436 Check Amt 351.38
	CHECK DATE 10	V16/21	29:6500	415 10		63.7	2	Net Pay 351 38
	Hourly	14,0000	29,6500	415.10		Social Security 25:7 Medicare 6:0 Fed Income Tax 17:3 NY Income Tax 11:8 NY Disability 0:6 NY PFL 21	3 2 2 2 2 3 G Q Q Q	Check # 13450 Check Amt 35139
	CHECK DATE 10	V23/21	29 6500	<i>4</i> 15 10	 	637	1	Net Pay. 35139
	Hourly	14,0000	29.6500	415.10		Social Security 257, Medicare 60 Fed Income Tax 173	4 2 8	Check # 13464 Check Amt 351 38

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(Requested Check Dates 01/01/20 - 12/31/21)

EMPLOYEE NAME	HOURS, EARNII	NGS, REIMBURSEI	MENTS & OTHER F	PAYMENTS	WITHHOLDINGS	DEDUCTIONS	NET PAY
1D	DESCRIPTION (HOURS RATE	EARNINGS	REIMB & OTHER PAYMENTS			ALLOCATIONS
(cont.) PORTILLO, GERMAN D (co 19	nt.)				NY Income Tax 11:86		
	CHECK DATE 10/	30/21 29:6500	415,10		NY Income Tax 11:86 NY Disability 0:60 NY PFL 2:12	1	Net Pay 351 38
		4,0000 29,6500	415 10		6372 Social Security 2574 Medicare 6102 Fed Income Tax 1733 NY Income Tax 11366 NY Disability 0660 NY PPL 212]	Net Pay 351 38 Check # 13478 Check Amt 351 38
	CHECK DATE 11/	0,6/2129,6500	415 10		63 72	l :	Net Pay 351 38
	Hourly 1	40000 29,6500	415 10		Social Security 2573 Medicare 602 Fed Income Tax 11738 NY Income Tax 11386 NY Disability 060 NY PFL 212		Check # 13492 Check Amt 351:39
	CHECK DATE 11/	13/21296500	415 10		6371		Net Pay 35139
	Hourty 1	4,0000 29,6500	415.10		Social Security 25,74 Medicare 600 Fed Income Tax 11,738 NY Income Tax 11,989 NY Disability 0,66 NY PFL 2,12		Check # 13506 Check Amt 35138
	CHECK DATE 11/	20/2129.6500	415 10				Net_Pay35138_
	Hourly 1	40000 296500	415.10		Social Security		Check # 13520 Check Amt 35139
	CHECK DATE 11/	2 7 /21 29 6500	415 10		;	1 :	Net Pay 351 39
	Hourty 1	4,0000 29,6500	415 10		Social Security		Check # 13534 Check Amt 351;39
	CHECK DATE 12/	04/21 29 6500	415 10		6371		Net Pay 35139

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(Requested Check Dates 01/01/20 - 12/31/21)

EMPLOYEE NAME	HOURS, EARNI	NGS,	REIMBURSEN	MENTS & OTHER	PAYMENTS	WITHHOLDINGS	DEDUCTIONS	NET PAY	
ID	DESCRIPTION	RATE	HOURS	EARNINGS	REIMB & OTHER PAYMENTS			ALLOCATIONS	
(cont.) PORTILLO, GERMAN D (c 19	,	14:0000	29,6500	415.10		Social Security		Check # 13547 Check Amt 3513	38
	CHECK DATE 12	11/21.	29.6500	415.10		NY Disability 0:50 NY PFL 2:12 6372		Net Pay 3513	38
	Hourly	14:0000	29,6500	415-10		Social Security 2573 Medicare 602 Fed Income Tax 1758 NY Income Tax 1158 NY Disability 650 NY PFL 212		Check # 13559 Check Amt 3513	
	CHECK DATE 12	18/21.	29,6500	415 10		6371		Net Pay 3513	19
	Hourty	14.0000	29.6500	415.10		Social Security 2574 Medicare 602 Fed Income Tax 11788 NY Income Tax 11785 NY Disability 050 NY PFL 212		Check # 13572 Check Amt 3513	18
	CHECK DATE 12/	23/21	29,6500	415,10		6372		Net Pay 3513	38_
<u></u>	EMPLOYEE T	OTAL	1,097,0500	15,358 70		2.35746		Net Pay 13,0012	24
COMPANY TOTALS 1 Person(s) 38 Transaction(s)	Hourly Crs EE Rt-Memo		1,097,0500	15,358-70	5,396.30	Social Security S5224 Medicare 22270 Fed Income Tax 64306 NY Income Tax 4386 NY Disabitity 2220		Check Amt 13,001.2	24
	THIS PERIOD TOTAL	-	1,097,0500	15,358 70		NY PFL 76:44 2,357:46 Employer Liabilities		Net Pay 13,001.2	24
					TOTAL	Social Security 952/38 Medicare 222/74 Fed Unemploy 41/99 NY Unemploy 297/91 NY Re-empl Svc 881 EMPLOYER LIABLITY 1,522/83 TOTAL TAXLIABLITY 3,881/28			

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(Requested Check Dates 01/01/20 - 12/31/21)

EMPLOYEE NAME	HOURS, EAR	NINGS,	REIMBURSE	MENTS & OTHE	R PAYMENTS	WITHHOLDINGS	DEDUCTIONS	NET PAY
D	DESCRIPTION	RATE	HOURS	EARNINGS	REIMB & OTHER PAYMENTS			ALLOCATIONS
C) = Independent Contractor ct = Activation amounts from p	ayrolls prior to joining Paych	nex®						
					1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
			100					

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Period Start - End Dates Check Dates

01/04/20 - 12/31/21 01/04/20 - 12/31/21

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EMPLOYEE EARNINGS RECORD

(Requested Check Dates 04/01/21 - 04/01/22)

Page 1 of 5 0013 1	1607-1146 DEMARCO BROS	S LANDSCAPING & TREE SERV	/ICE	(Requested Check Dates 04/01/21 - 04/01/22)						
EMPLOYEE NAME	ID	EMPLOYEE NAME	iD	EMPLOYEE NAME	1D	EMPLOYEE NAME	10			
PORTILLO, GERMAN	D 19			**************************************						
1 Person(s)						4110				

			_							

EMPLOYEE EARNINGS RECORD

Page 2	of 5	00-	3 1607	-1146 DEN	MARCO BROS	LANDSCAPING	& TREE SERVIC	E			OTEE EA ed Check D		4/01/21 - 04/01/22)	
		HOURS, EA	RNINGS, A	ND REIMBUR	SEMENTS & OTH	IER PAYMENTS			wan	тноцојнаѕ			***	NET
CHECK DATE	DESCR	REGULAR		REGULAR AMOUNT	OVERTIME AMOUNT	TOTAL EARNINGS		OC SEC + MED	FEDERAL TAX	STATE TAX	LOCAL YAX	OTHER		PAY
04/17	Hourly	29.65		415.	.10	415.10		31.76	17.38	11.86		0.6 2.	60	351.38
04/24	Hourly	29.65		415.	.10	415.10		31.75	17.38	11.86		0.6 2.1		351.39
05/01	Hourly	29,65		415.	.10	415.10		31.76	17.38	11.86		0.t 2.	6ď	351.38
05/08	Hourly	29.65		415.	.10	415.10		31.75	17.38	11.86		0.i 2.	60	351.39
05/15	Hourly	29.65		415	.10	415.10		31.75	17.38	11.86		0.i 2.	6d	351.39
05/22	Hourly	29.65		415.	.10	415.10		31.76	17.36	11.86		0.t 2.	60	351.38
05/29	Hourly	29.65	:	415.	.10	415.10		31.75	17.38	11.86		0.6	60	351.39
06/05	Hourly	29.65		415.	.10	415.10		31.76	17.38	11.86		0.0	6d	351.38
06/12	Hourly	29.65		415.	.10	415.10		31.76	17,38	11.86		0.0	60	351.3B
06/19	Hourly	29.65		415.	.10	415.10		31.75	17.38	11.86		0.0 2.	60	351.39
06/26	Hourly	29.65		415.	.10	415.10		31.76	17.38	11.86		0.1	60	351.38
QTR 2		326.15		4566.	10	4566.10		S 283,10 M 66.21	191.18	130.46	}	Disability	SC	3865.23
											•	NYPFL 23.	33	
07/03	Hourly	29.65		415	.10	415,10		31.75	17.38	11.86		0,0	60	351.39
07/10	Hourly	29.65		415.	.10	415.10		31,76	17.38	11.86	-	2. 0.0 2.1	6d	351,38
07/17	Hourly	29.65		415.	.10	415.10		31.76	17.38	11.86	***************************************	0.0 2.	6d	351.38
07/24	Hourly	29.65		415.	.10	415.10		31.74	17.38	11.86		0.0 2.1	6d	351.40
07/31	Hourly	29.65		415	.10	415.10		31.76	17.38	11.86		0.i 2.		351.38
08/07	Hourly	29.65		415.	.10	415.10		31.76	17.38	11.86		0.1	ed e	351.38
08/14	Hourly	29.65		415.	.10	415.10		31.75	17.38	11.86		0.i 2.		351.39
08/21	Hourly	29.65		415	.10	415.10		31.76	17.38	11.86		0.1 2.	60	351.38
08/28	Hourly	29.65		415	.1d	415.10		31.75	17.38	11.86		0.1	60	351.39
09/04	Hourly	29.65		415	.10	415.10	-	31.76	17,38	11.86		0.1 2.	60	351.38
09/11	Hourly	29.65		415	.10	415.10	1	31.76	17.38	11.86		0.1	6 d	351.38
36 MILE	LLO, GERMA HILL ROAD COVE, NY 11		ID Sex:		19 Male		Term Date: Pay Frequent Standard Hrs		ŗ		Withholding Method:		ederal: Single or Married Filing Deductions: Y: Single, 0	
					04/12/2021		Rate 1 / Sala:				Earnings:			

EMPLOYEE EARNINGS RECORD (Requested Check Dates 04/01/21 - 04/01/22)

Page 3 of 5 0013 1607-1146 DEMARCO BROS LANDSCAPING & TREE

	· · · · · · · · · · · · · · · · · · ·					LANDSCAFIN							1	l	
		HOURS, E	ARNINGS, A	ND REIMBURSE	MENTS & OTH	ER PAYMENTS	REIMB &		WI	THHOLDINGS			*	NET	—
CHECK DATE	DESCR	HOURS	OVERTIME HOURS	REGULAR AMOUNT	OVERTIME AMOUNT	TOTAL EARNINGS	DTHER PAYMENTS	SOC SEC	FEDERAL TAX	STATE YAX	LOCAL YAX	OTHER		PAY	
09/18	Hourly	29.65		415.10	1	415.10		31.75	17.38	11.86		0.6 2.1	sd sz	351	61,39
09/25	Hourly	29.65		415.10		415.10		31.75	17,38	11.86		0.6	5d	351	51.39
09/30	Crs -Memo						M5396.30					2.1	1		
QTR 3		385.45		5396,30		5396.30		\$ 334.57	225.94	NY		Disability		Mar 4568	anual 1 38.01
								M 78.24		154.18		7.5	6C		
												NYPFL 27.5	56		
10/02	Hourly	29.65		415.10		415.10		31.76	17.38	11.86		0.6 2.1		351	51.38
10/09	Hourly	29.65		415,10	ł	415.10		31.75	17.38	11.86		0.6 2.1	50	351	51.39
10/16	Hourly	29.65		415,10		415.10		31.76	17.38	11.86		0.6 2.1	sd	351	51.38
10/23	Hourly	29.65		415.10		415.10		31.75	17.38	11.86		0.6	5d	35 ⁻	51.39
10/30	Hourly	29.65		415,10	ļ	415.10		31.76	17.38	11.86		2,1 0.6	5d	35 [,]	51.38
11/06	Hourly	29.65		415.10		415.10		31.76	17.38	11.86		2.1 0.6	sd .	35.	51.38
1 1/13	Hourly	29.65		415.10	-	415.10		31.75	17.38	11.86		2.1 0.6	5d	35.	51.39
11/20	Hourly	29.65		415.10		415,10		31.76	17.38	11.86		2.1 0.6	sd.	35	51.38
11/27	Hourly	29.65		415.10		415.10		31,75	17,38	11.86		2.1 0.6	ad .	35	51.39
12/04	Hourly	29.65		415.10		415.10		31.75	17.38	11.86		2.1 0.6	3 d	35 ⁻	51,39
12/11	Hourly	29.65		415.10	ļ	415.10		31.76	17.38	11.86		2.1 0.6		35	51.38
12/18	Hourly	29.65		415.16		415.10		31.75	17.38	11.86		2.1 0.6	3 a	35 ⁻	51.39
12/23	Hourty	29.65		415.10		415,10		31.76	17.38	11.86		2,1 0.6		35	51.38
QTR 4	·	385.45		5395,30		5396.30		\$334.57	225.94			2.1 Disability	12	4561	58.00
								M 78.25	1	154.18		7,5	ed -		
					<u> </u>							NYPFL 27.5	56		
YTD 2021		1097.05		15358.70	1	15358.70		S 952.24 M 222.70	643.06	NY 438.82		Disability 22.2	20	13001)1.24
												NYPFL			
03/11	Hourly	27.68		415.20		415.20		31,76	16.62	11.87		78.4 D.6	60	35:	52.23
QTR 1		27.68		415.20	<u>, </u>	415.20				NY		2,1 Disability	12		
POPTH	LO, GERMA	ND	1	1			ī	<u>1</u>			1	1	<u> </u>		
36 MILI	HILL ROAD			l											
GLEN (OVE, NY 115	542													
											1				
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PORTILLO, GERMAN D 36 MILL HILL ROAD GLEN COVE, NY 11542

0013 1607-1146 DEMARCO BROS LANDSCAPING & TREE

EMPLOYEE EARNINGS RECORD (Requested Check Dates 04/01/21 - 04/01/22)

$\overline{}$													
		HOURS, E	ARNINGS, A	ND REIMBURSE	MENTS & OTH	ER PAYMENTS			WI	THHOLOINGS			NET
CHECK DAYE	DESCR	REGULAR HOURS	OVERYIME HOURS	REGULAR AMOUNT	OVERTIME AMOUNT	TOTAL EARNINGS	REIMB & OTHER PAYMENTS	SOC SEC + MED	FEDERAL TAX	STATE TAX	LOCAL YAX	OTHER	PAY
QTR 1								5.25,74 M6,02		11.87		NYPFL 2.13	352.23
YTD 2022		27.68		415.20		415.20		S 25.74 M 6.02		NY 11.87		Disability 0.60	352.23

EMPLOYEE EARNINGS RECORD

		HOURS,	EARNINGS, A	ND REIMBURSEMENTS	& OTHER PAYME	ENTS		WITHHOLDINGS		DEDUCTIONS	NET
CHECK DATE	DESCRIPTION	REGULAR HOURS	OVERTIME HOURS	REGULAR AMOUNY	OVERTIME AMOUNT	TOTAL EARNINGS	REIMB & OTHER PAYMENTS				PAY
QTR 2	Hourly	326.15		4566.10		4566.10		Social Security Medicare Fed Income Tax NY Income Tax NY Disability NY PFL	283.10 66.21 191.18 130.46 6.60 23.32		
QTR 2	TOTAL					4566. 1 0			700.87		3865.2
QTR 3	Hourly Crs EE Rin-Memo	385.45		5396.30		5396.30		Social Security Medicare Fed Income Tax NY Income Tax NY Disability NY PFL	334.57 78.24 225.94 154.18 7.80 27.56		
QTR 3	TOTAL					5396.30			828.29		4568.0
QTR 4	Hourly	385.45		5396.30		5396.30		Social Security Medicare Fed Income Tax NY Income Tax NY Disability NY PFL	334.57 78.25 225.94 154.18 7.80 27.56		
QTR 4	TOTAL					5396.30			828.30		4568.
	Hauriy Crs EE Rtn-Memo	1097.05		15358,70		15358.70	M5396.30	Social Security Medicare Fed Income Tax NY Income Tax NY Disability NY PFL	952.24 222.70 643.06 438.82 22.20 78.44		13001.
	TOTAL					15358.70			2357,46		13001,
QTR 1	Hourly	27.68		415.20		415.20		Social Security Medicare Fed Income Tax NY Income Tax NY Disability NY PFL	25.74 6.02 16.62 11.87 0.60 2.12		
QTR 1	TOTAL	ļ				415.20			62.97		352.
	Hourly	27.68		415.20		415.20		Social Security Medicare Fed Income Tax NY Income Tax NY Disability NY PFL	25.74 6.02 16.62 11.87 0.60 2.12		
	TOTAL	l	Į.			415.20	Ţ	l	62.97		352

Document 23-3

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DEMARCO BROS LANDSCAPING & TREE SERVICE 320 Cedar Swamp Rd Glen Head NY 11545

1607-1146 EE ID: 19

GERMAN D PORTILLO 36 MILL HILL ROAD GLEN COVE NY 11542

PERSONAL AND GERMAN D PORT 36 MILL HILL ROA GLEN COVE, NY Soc Sec #: Missing	D 11542	
Pay Period: 11/28 Check Date: 12/0 NET PAY ALLOC	4/21 Check #: 13534	·····
DESCRIPTION Check Amount NET PAY	THIS PERIOD (\$) 351.39 351.39	YTD (\$) 11947.09 11947.09

EARNINGS	DESCRIPTION	HRS/UNITS	RATE	THIS PERIOD (\$)	YTD HOURS	YTD (\$)
	Hourly	29.65	14.0000	<u>415.10</u>	1008.10	<u>14113.40</u>
	Total Hours	29.65			1008.10	
	Gross Earnings			415.10		14113.40
	Total Hrs Worked	29.65				
WITHHOLDINGS	DESCRIPTION	FILING STATE	JS	THIS PERIOD (\$)		YTD (\$)
	Social Security			25.74		875.03
	Medicare			6.01		204.64
	Fed Income Tax	SMS		17.38		590.92
	NY Income Tax	S 0		11.86		403.24
	NY Disability			0.60		20.40
	NY PFL			2.12		72.08
	TOTAL			63.71		2166.31

NET PAY	THIS PERIOD (\$)	YTD (\$)
	351.39	11947.09

DEMARCO BROS LANDSCAPING & TREE SERVICE 320 Cedar Swamp Rd Glen Head NY 11545

PERSONAL AND CHECK INFORMATION

1607-1146 EE ID: 19

GERMAN D PORTILLO 36 MILL HILL ROAD GLEN COVE NY 11542

EARNINGS

Payrotts by Payohex, his

YTD (\$)

YTD (\$)

12649.86

SERMAN D PORT	ILLO	•		PAY	2200 7.0	771 (0, 0, 1170	,,,,		151100110	7.5 (0)
6 MILL HILL ROA					Hourly	29.65	14.0000	415.10	1067.40	14943.60
SLEN COVE, NY					Total Hours	29.65			1067.40	
Soc Sec #: Missing	g Employee ID: 19				Gross Earnings			415.10		14943.60
					Total Hrs Worked	1 29.65				
			WITHEROLDIN		DESCRIPTION	FILING STAT	US	THIS PERIOD (\$)		YTD (\$)
Pay Period: 12/12	2/21 to 12/18/21		GS		D2007 17077		-	71.11.07 E7.11.02 (0)		(4)
Check Date: 12/1	8/21 Check #: 13559				Social Security			25.73		926.50
VET PAY ALLOC					Medicare			6.02		216.68
					Fed Income Tax	SMS		17.38		625.68
DESCRIPTION	THIS PERIOD (\$)	YTD (\$)			NY Income Tax			11.86		426.96
Check Amount	<u>351.39</u>	12649.86			NY Disability			0.60		21.60
IET PAY	351.39	12649.86			NY PFL			2.12		76.32
					TOTAL			63.71		2293.74
			1							

BASIS OF DESCRIPTION

HRS/UNITS

RATE THIS PERIOD (\$) YTD HOURS

THIS PERIOD (\$)

351.39

NET PAY

Document 23-3 #: 120

DEMARCO BROS LANDSCAPING & TREE SERVICE 320 Cedar Swamp Rd Glen Head NY 11545

Payrolls by Payobez, lix.

1607-1146 EE ID: 19

GERMAN D PORTILLO 36 MILL HILL ROAD GLEN COVE NY 11542

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Mr.

PERSONAL AND GERMAN D PORT 36 MILL HILL ROA GLEN COVE, NY Soc Sec #: Missin	AD 11542	
Pay Period: 12/05 Check Date: 12/1 NET PAY ALLOG	1/21 Check #: 13547	
DESCRIPTION Check Amount NET PAY	THIS PERIOD (\$) 351.38 351.38	YTD (\$) 12298.47 12298.47

EARNINGS	DESCRIPTION	HRS/UNITS	RATE	THIS PERIOD (\$)	YTD HOURS	YTD (\$)
	Hourly Total Hours	<u>29.65</u> 29.65	14.0000	<u>415.10</u>	1037.75 1037.75	<u>14528.50</u>
	Gross Earnings			415.10	1037.73	14528.50
	Total Hrs Worked	1 29.65				
WITHHOLDINGS	DESCRIPTION	FILING STATE	JS	THIS PERIOD (\$)		YTD (\$)
	Social Security			25.74		900.77
	Medicare			6.02		210.66
	Fed Income Tax	SMS		17.38		608.30
	NY Income Tax	S 0		11.86		415.10
	NY Disability			0.60		21.00
	NY PFL			2.12		74.20
	TOTAL			63.72		2230.03

	T	
NET PAY	THIS PERIOD (\$)	YTD (\$)
	351.38	12298.47
		i e e e e e e e e e e e e e e e e e e e

DEMARCO BROS LANDSCAPING & TREE SERVICE 320 Cedar Swamp Rd Glen Head NY 11545

Payrolls by Payches, Inc.

1607-1146 EE ID: 19

eyrolls by Paychex, Inc

GERMAN D PORTILLO 36 MILL HILL ROAD GLEN COVE NY 11542

GERMAN D POR 36 MILL HILL RO GLEN COVE, NY	AD	
Soc Sec #: Missir		
	11/22 Check #: 13585	
NET PAY ALLO	CATIONS	
05000107/04/	TI 110 DEDICE (8)	Lemma Jahr
DESCRIPTION Check Amount	THIS PERIOD (\$) 352.23	YTD (\$) 352.23

EARNINGS	BASIS OF PAY	DESCRIPTION	HRS/UNITS	RATE	THIS PERIOD (\$)	YTD HOURS	YTD (\$)
		Hourly	27.68	15.0000	<u>415.20</u>	<u>27.68</u>	<u>415.20</u>
		Total Hours	27.68			27.68	
		Gross Earnings			415.20		415.20
		Total Hrs Worker	27.68				
WITHEHOLDIN		DESCRIPTION	FILING STATE	US	THIS PERIOD (\$)		YTD (\$)
GS							
		Social Security			25.74		25.74
		Medicare			6.02		6.02
		Fed Income Tax	SMS		16.62		16.62
		NY Income Tax	S 0		11.87		11.87
		NY Disability			0.60		0.60
		NY PFL			2.12		2.12
		TOTAL			62.97		62.97

NET PAY	THIS PERIOD (\$)	YTD (\$)
	352.23	352.23

#: 122

DEMARCO BROS LANDSCAPING & TREE SERVICE 320 Cedar Swamp Rd Glen Head NY 11545

1607-1146 EE ID: 19

GERMAN D PORTILLO 36 MILL HILL ROAD GLEN COVE NY 11542 заукойз бу Раусінях, інс

GERMAN D PORT 36 MILL HILL ROA	AD.	
GLEN COVE, NY		
Soc Sec #: Missin	g Employee ID: 1	9
Pay Period: 12/19		
Check Date: 12/2	23/21 Check #: 13572	}
NET PAY ALLO	ATIONS	
DESCRIPTION	THIS PERIOD (\$)	YTD (\$
Check Amount	<u>351.38</u>	13001.24
CHÉCK WHIDHIT	054.00	13001.24
NET PAY	351.38	13001.24

EARNINGS	BASIS OF PAY	DESCRIPTION	HRS/UNITS	RATE	THIS PERIOD (\$)	YTD HOURS	YTD (\$)
		Hourly	<u>29.65</u>	14.0000	<u>415.10</u>	<u>1097.05</u>	<u>15358.70</u>
		Total Hours	29.65			1097.05	
		Gross Earnings			415.10		15358.70
		Total Hrs Worked	29.65				
WITHEHOLDIN		DESCRIPTION	FILING STATE	VS.	THIS PERIOD (\$)		YTD (\$)
GS							
		Social Security			25.74		952.24
		Medicare			6.02		222.70
		Fed Income Tax	SMS		17.38		643.06
		NY Income Tax	S 0		11.86		438.82
		NY Disability			0.60		22.20
		NY PFL			2.12		78.44
		TOTAL			63.72		2357.46

NET PAY	THIS PERIOD (\$)	YTD (\$)
	351.38	13001.24